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Committee on the Elimination of Discrimination against Women

Consideration of reports submitted by States parties under article 18 of the Convention

Combined fourth and fifth periodic reports of States parties due in 2014

Myanmar*

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Chapter 1
Introduction

1. Myanmar has been implementing a series of reforms simultaneously in the political, economic and social spheres since 2011, with the aim of building up state peace and stability, development and democracy. A certain extent of success has been achieved. The Government of Myanmar (GOM) has been widely carrying out the eight tasks of rural development and poverty alleviation, macro-economic reform programmes, Framework for economic and social reform, development of the agricultural sector, internal peace and national reconsolidation tasks, national education-reform, enhancement of the health sector and a people-centred budget system. In doing so, the government has enacted necessary new laws, repealed out-of-date laws, and revised existing laws.

2. The total population of Myanmar is (51.41) million based on the provisional results of the 2014 population and household census. Out of the total population, the male population is (48.2%) and female population is (51.8%). Myanmar women, who represent more than half of the total population, are a driving force in the implementation of national reform tasks. Hence, gender equality and elimination of discrimination are defined as a national responsibility. Accordingly, women development tasks are included in national development programmes, ensuring effective inclusion of Myanmar women in multiple sectors of society and at different levels of representation and leadership. In doing so, GOM is making concerted efforts in collaboration with UN Agencies, INGOs, NGOs and Civil Society Organizations.

3. Myanmar acceded to UNCEDAW in 1997 as a state party. According to the Article (18) of the Convention, Myanmar's initial report was submitted in 1999 and Myanmar's combined second and third periodic reports were submitted in 2007. This document is the combined fourth and fifth periodic reports to be submitted to the UNCEDAW Committee. To be able to draft and submit this report, a report-writing committee was formed with (15) men and (17) women from relevant ministries, NGOs and Civil Society Organizations, for a total of (32) representatives. The list of the representatives of the report-writing committee is attached as annex "A" of this report. In order to develop a comprehensive report, a consultative workshop was held on 5 June 2014 at Nay Pyi Taw with representatives from UN agencies, INGOs, NGOs and Civil Society Organizations whose advice, suggestions and inputs were sought.

4. During the Compilation period of this report, Myanmar was able to accede to the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography and the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). GOM has also formed the Myanmar National Human Rights Commission and a National Strategic Plan for the Advancement of Women (2013-2022) was initiated and is now being implemented.

5. In this report, the activities of Myanmar regarding the implementation of the Convention on the Elimination of All Forms of Discrimination against Women from 2007 to 2013 have been presented. The facts and figures in this report reflect not only relevant ministries' activities but also the activities of UN Agencies, INGOs, NGOs and Civil Society Organizations, which collaborate with the ministries concerned in Myanmar.

Chapter 2
Implemented Activities during the Reported Period

Definition of Discrimination (CEDAW Article-1)

Implementation

6. The Constitution of the Republic of the Union of Myanmar (2008) is the foundation of all existing laws, and includes a description of the principles of the constitution of a sovereign nation, civil rights and responsibilities. In the Constitution of the Republic of the Union of Myanmar, Section 348 explicitly provides that the Union shall not discriminate any citizen of the Republic of the Union of Myanmar, based on race, birth, religion, official position, status, culture, sex and wealth. Sections 350, 351, 352 and 368 are also prescribed for ensuring respect of the equal rights of men and women. The provisions of Sections 350, 351, 352 and 368 will be mentioned in Article (15). In line with the Constitution, programmes are to be implemented in relevant sectors by enacting a separate law and rules related to the law in order to ensure women's rights, equal opportunities for women, and non-discrimination.

7. For amending laws and enacting new laws which are in conformity with the UNCEDAW, necessary research on violence against women and women's resilience in Myanmar; research on cultural norms, social practices and gender equality in Myanmar; and gender situational analysis have been conducted and compiled. The outcomes of these research activities and papers are to be utilized as a helping hand in the successful implementation of programmes for women's development in Myanmar.

Endeavours against Discrimination (CEDAW Article-2)

Implementation

8. GOM has been making amendments to or repealing existing laws, rules and regulations, and procedures, as well as drawing up new laws since 2011, in line with laid down ten programmes of legislation. The ten programmes of legislation are attached with as annex "B" of this report. Committees for drafting laws were also formed in the Pyithu Hluttaw and Amyotha Hluttaw. The Committees have to submit laws to be amended or repealed, or new laws to be enacted, to the Pyidaungsu Hluttaw after scrutinizing and considering the laws. During the reporting period, a total of (8) laws related to women's rights have been amended or enacted, and there are (2) laws which are being drawn up.

Amended laws which have been enacted

Social Security Law

9. The new Social Security Law was enacted on 31 August 2012 in order that Myanmar's social security scheme is in line with international practices. According to the new law, a Social Security Board and its formation is re-established and chaired by Her Excellency Deputy Minister of Ministry of Labour, Employment and Social Security. In accordance with the new Social Security Law, male and female workers enjoy the benefits of new insurances and maternity insurance as equal

rights. The provisions of the Social Security Law will be explained in detail in Article 11.

Minimum Wage Law

10. For workers (both male and female) who are working in the fields of commerce, production and service, agriculture and livestock breeding, the new Minimum Wage Law was enacted on 22 March 2013 and its rules was issued on 12 July 2013. In the chapter 8 of this Law, it is prescribed that both men and women are entitled, without discrimination, to be paid minimum wages as stipulated by the law in order to enjoy the same rights and salaries in respect of similar work.

Labour Organization Law

11. Myanmar ratified International Labour Organization Convention 87, "the Freedom of Association and the Protection of the Right to Organize" on 4 March 1955. Hence, the Labour Organization Law was enacted on 11 October 2011 and its rules was issued on 29 February 2012 with the aim of protecting the rights of workers, good relations among workers, and good relations between employers and employees, as well as forming the labour organizations freely and systematically. Up to July 2014, a total of (1245) labour organizations have been formed and given certificates of recognition. Out of these Organizations, there is one basic labour organization which consists only of women; there are also (70) labour organizations chaired by women and (32) labour organizations which include women executive members.

The Settlement of Labour Dispute Law

12. The Settlement of Labour Dispute Law was enacted on 28 March 2012. Its rules were subsequently issued on 26 April 2012. In line with the law, the Tripartite Group (comprised of representatives from the Government, employers and workers respectively) mediates disputes between employers and workers, and makes a reasonable decision for mutual interest, providing equal rights and benefits without gender discrimination.

Employment and Skills Development Law

13. The Ministry of Labour, Employment and Social Security aims to provide skill training for Myanmar's work force relevant to advanced technology and ensure job opportunities, to nurture skilled workers who possess international recognized certificates, and to create decent work opportunities. In line with these aims, the new Employment and Skills Development Law was enacted on 30 August 2013; rules related to the Employment and Skills Development Law are now being drafted. According to the Law, the Central Committee for Employment and Skills Development will be formed to provide for creating internal job opportunities and enhancing disciplines and capabilities of workers without gender discrimination.

Myanmar National Human Rights Commission Law

14. In order to operate on a statutory basis and comply with the Paris Principles, the Myanmar National Human Rights Commission drafted the Myanmar National Human Rights Commission Law in collaboration with civil society organizations, the regional office of the OHCHR in Bangkok, the Asia Pacific Forum, and the

Raoul Wallenberg Institute of Human Rights and Humanitarian Law from Sweden. The Myanmar National Human Rights Commission Law was enacted on 28 March 2014.

Mass Media Law

15. To establish media enterprises which can publish and distribute freely, in order that media services can strongly stand as the fourth pillar; to fully achieve the rights and freedoms of journalists; to fulfil the right of every Myanmar citizen to information; and to mediate complaints related to broadcasting and the media through bilateral settlement, the Mass Media Law was enacted on 14 March 2014.

Organization Registration Law

16. The Organization Registration Law was enacted on 18 July 2014 in order to facilitate the establishment of local non-profit organizations and to further smoothen the registration process of local and international non-profit organizations; the organizations can seek necessary assistances from the concerned ministries in the implementation of their tasks.

New Laws which are being drawn up

Anti-Violence against Women Law

17. Although Myanmar Customary Law and Penal Code take actions against discrimination and violence against women based on femininity as a criminal case, there is no separate enacted law to prevent violence against women, including domestic violence. Hence, the Department of Social Welfare under the Ministry of Social Welfare, Relief and Resettlement is drawing up the Anti-violence against Women Law which is in line with the fundamental rights of the Constitution of the Republic of the Union of Myanmar (2008) and the norms of the UNCEDAW, in collaboration with respective Departments, the Gender Equality Network, United Nations Gender Theme Group, and Local NGOs. To be able to draft the Law, three Committees have been formed, namely the Working Committee, the Advisory Committee and the Leading Committee.

The Rights of Persons with Disabilities Law

18. In order to effectively implement the provisions of the UNCRPD and ensure that persons with disabilities enjoy full and equal access to human rights and fundamental freedoms that every Myanmar citizen is entitled to, the Rights of Persons with Disabilities Law has already been drawn up and it is in process to be enacted.

Legal Complaint Mechanisms

19. As a response to the concluding observations of the UNCEDAW Committee (2008), the Myanmar National Human Rights Commission was established in 2011 and the Women and Child Sub-Committee was also formed in 2013 as an extension, to ensure that women rights in Myanmar are promoted and protected. Not only the Myanmar National Committee for Women's Affairs and the Myanmar Women's Affairs Federation, but also the Myanmar National Human Rights Commission and Women and Child Sub-Committee receive and address complaints related to the violation of women's rights.

Myanmar National Human Rights Commission

20. In response to the Committee's concluding observation no. 15, the Myanmar National Human Rights Commission (MNHRC) was established as an independent entity in September 2011 to safeguard people's human rights in line with the Constitution of the Republic of the Union of Myanmar (2008). The Commission is composed of fifteen retired persons from different professions and various national races as members. Out of the (15) representatives, (3) representatives are women.

21. In November 2012, the MNHRC became an associate member of the Asia Pacific Forum (APF) of national human rights institutions. Rules of procedure relating to complaints have been drawn up and published in the newspapers, and the Commission accepts complaints from the public. With regard to violation of the fundamental rights of citizens which is described in the Constitution of the Republic of the Union of Myanmar (2008), one can send complaints addressed to the chairperson or the secretary of the Myanmar National Human Rights Commission residing at No 27, Pyi road, Hlaing Township, Yangon by post or in person. Direct complaints relating to women are handled by these rules and procedures such as forwarding the complaints to the concerned Departments, making recommendations after an on-site investigation of the place where the alleged violation of rights has taken place, and conciliation, if that is appropriate. The Commission received a total of (1,599) complaints from 1 January to 31 October 2013, of which (1,206) complaints have been examined by the Commission and the relevant complaints have been forwarded to the Government for necessary actions and remedies. The MNHRC's cooperation at the regional level remains strong through the active participation of the Commission Members in all regional meetings on human rights and by engaging with regional level human rights organizations such as Southeast Asian National Human Rights Institutions Forum (SEANF) and the Asia Pacific Forum (APF). Through its cooperation with the APF, the Commission has already formulated a Strategic Plan for 2014 to 2016 for the promotion and protection of human rights under which many activities are planned at the domestic, regional and international levels.

Women and Child Sub-Committee

22. GOM has formed (27) Sub-Committees as Union Government level coordinating bodies on 9 August 2013 to carry out the various tasks of ministries, and Region and State Governments quickly and effectively. Among the Sub-Committees, the Women and Child Sub-Committee is also included. The Women and Child Sub-Committee directly accepts the affairs of women and children presented by the public and handle them by linking and coordinating national ministries, as well as Region and State Governments concerned, in line with legal procedures.

Myanmar Women's Affairs Federation (MWAF)

23. Myanmar Women's Affairs Federation is giving a priority to the prevention of violence against women. The complaint-scrutinizing working group analyses and classifies the complaints received by MWAF and all its women's affairs organizations countrywide. In handling a variety of complaints, the working group makes the complainants meet the counselling group or replies with necessary suggestions to them. The working group also forwards the complaints for taking

action and follows upon the actions of the departments and organizations to which complaints have been forwarded for action. The working group has to inform the police about any complaints for legal protection and also provide a lawyer if necessary. The working group has to record all the complaints systematically. In addition, the working group has to handle the complaints forwarded by the Myanmar National Human Rights Commission. The list of various types of violence of the complaints received by MWAF (central level) and the indicators of prevention of violence against women from 2008 to 2013 are attached as annex "C" of this report.

24. During the reporting period, prevention of violence against women is emphasized as an important task. Nevertheless, it is still needed that effective judgment is to be kept within reach of the national tribeswomen and girl-children. There is a need to make an effective response to fulfil health care, counselling, safer accommodation and legal protection especially for women who have been sexually violated. It is also necessary to establish a mechanism which is in line both with the Myanmar context and with international best practices. That fact is taken into consideration for inclusion in the Anti-Violence against Women Law which is now being drawn up.

Awareness-raising on UNCEDAW and Gender Concepts

25. The Department of Social Welfare under the leadership of Myanmar National Committee for Women's Affairs is conducting dissemination workshops on UNCEDAW, the concluding observations of UNCEDAW Committee, and gender concepts. This has being done in collaboration with UN agencies, INGOs and NGOs in order that awareness of women rights and women's development is enhanced nationally.

26. The Department of Social Welfare was able to nurture and produce 26 trainers to conduct awareness-raising on gender concepts and UNCEDAW. The trainers provided awareness-raising workshops to a total of (834) departmental responsible persons (205 men and 629 women) from various ministries, and (12) Regions and States from 2010 to March 2014. Awareness-raising workshops are planned to be conducted in the other ministries, and Regions and States where such workshops have not yet taken place. Besides, the Department of Social Welfare in collaboration with technical experts, is compiling a training manual on gender concepts and UNCEDAW that is presently being drafted.

27. The Ministry of Social Welfare, Relief and Resettlement in collaboration with the Supreme Court of the Union, the Union Attorney General's Office, Ministry of Health, Pyithu Hluttaw Social Development Committee, Myanmar Women's Affairs Federation and United Nations Gender Theme Group, as well as with the assistance of international and internal experts has been undertaking dissemination workshops on UNCEDAW and UNCEDAW implementation, and advocacy and consultation meetings on UNCEDAW implementation with senior officials from the various ministries, providing on job-trainings to the implementers and conducting CEDAW report-writing workshops, respectively, since 2009. Up to the present, (150) Hluttaw representatives and (350) senior officials have participated in awareness-raising workshops and consultation meetings.

28. In addition, human rights and the provisions of UNCEDAW and its related laws are being incorporated into the curriculums of departmental in-service

trainings, trainings for judges, trainings conducted by the Myanmar Women's Affairs Federation, and the trainings conducted by the Myanmar Maternal and Child Welfare Association.

29. In order that women may realize their rights by themselves and the entire people including staff and officers from the various governmental organizations may clearly understand women's rights as prescribed in the UNCEDAW and the concluding observations of UNCEDAW Committee, the Myanmar National Committee for Women's Affairs is taking a leading role. In addition, GOM commemorates Myanmar Women's Day and International Women's Day all over the country on an annual basis, including in all Regions and all States as well as in the Nay Pyi Taw Union Territory.

Measures for Women Development (CEDAW Article-3)

Implementation

Myanmar National Committee for Women's Affairs (MNCWA)

30. The Myanmar National Committee for Women's Affairs chaired by the Union Minister for the Ministry of Social Welfare, Relief and Resettlement was formed on 3 July 1996 with the aim to implement the Beijing Platform for Action and future programmes. In response to the Committee's concluding observation no. 17, the Myanmar National Committee for Women's Affairs was reformed in December 2011 in order to carry out gender equality and women development programmes. Subsequently, (11) Sub-Working Groups comprised of representatives from relevant ministries and NGOs were also formed to be able to effectively carry out the functions of the central Committee. Moreover, the Women's Affairs Committees were established at the Region and State levels to implement the programmes on advancement of women systematically and widely. The Women's Affairs Committees at District and Township levels will be also formed as future action to be taken.

31. To ensure the functioning of the mechanism of the Myanmar National Committee for Women's Affairs, the Department of Social Welfare under the Ministry of Social Welfare, Relief and Resettlement takes the responsibility and has to expend the necessary finance for the Committee under the budget-allotment of the Ministry. In accordance with the changing political system, a separate budget for the Committee has to be submitted. Among the tasks of the Myanmar National Committee for Women's Affairs, the National Strategic Plan for the Advancement of Women (2013-2022) is included to be implemented as a way forward. To help in the implementation of the tasks of the Myanmar National Committee for Women's Affairs in some other ways, the Myanmar Women's Affairs Federation (2003), Myanmar Maternal and Child Welfare Association (1991), the Myanmar Women Entrepreneurs' Association (1995) and Myanmar Women's Sport Federation (1991) were formed as supporting organizations. The Myanmar National Committee for Women's Affairs is closely collaborating with the Enhancing of Gender Equality and Women's Empowerment Sector Working Group, and the Women and Child Sub-Committee.

32. During the reported period, three institutions, including the United Nations Gender Theme Group, the Gender Equality Network comprising over (100) women

groups, and the Myanmar Women and Children Development Foundation which carry out the activities of women's rights and gender equality, were formed. The Myanmar National Committee for Women's Affairs is also collaborating with these organizations.

Enhancing of Gender Equality and Women's Empowerment Sector Working Group

33. The First Myanmar Development Cooperation Forum was held in January 2013 with the aim of supporting transparent and effective collaboration of national and international development partners, UN Agencies and INGOs in the social and economic reform sectors of the nation. According to the Nay Pyi Taw Accord which was the result of the forum, (16) Working Groups in respective sectors, including the Enhancing of Gender Equality and Women's Empowerment Sector Working Group, were formed. The Enhancing of Gender Equality and Women's Empowerment Sector Working Group is headed by the Ministry of Social Welfare, Relief and Resettlement, and the Committee is formed with representatives from the respective ministries and development partner organizations. The Enhancing of Gender Equality and Women's Empowerment Sector Working Group is taking a vital role in the implementation of the National Strategic Plan for the Advancement of Women (2013-2022), in drawing up the Anti-Violence against Women Law, and in the implementation of the United Nations Security Council Resolution 1325.

34. The Sector Working Group has to develop a plan and handle the affairs of women's rights in the country in collaboration with the responsible Government Organizations, UN Agencies and development collaborating partner organizations.

National Strategic Plan for the Advancement of Women (2013-2022)

35. With a view to the implementation of advancement of women, methods to recognize gender equality and women's rights, formations and procedures, the National Strategic Plan for the Advancement of Women (2013-2022) was drawn up under the leadership of the Myanmar National Committee for Women's Affairs and in collaboration of relevant Ministries, Gender Equality Network, United Nations Gender Theme Group, UN Agencies, INGOs and Local NGOs and started to be implemented in October 2013. The Plan was formulated containing (12) critical areas based on UNCEDAW, Beijing Platform for Action and Millennium Development Goals. The Plan will be carried out in terms of (4) strategies such as carrying out research and assessments, awareness-raising, implementation, and budgeting and laying down principles. Moreover, (5) year-work plan of (12) critical areas and annual work plans will be drawn up and implemented. Financing and the provision of human and material resources to implement the National Strategic Plan will be borne collectively by the Government, UN Agencies and NGOs which are collaborating in the implementation of the Plan.

Forming Gender Unit

36. To be able to make greater efforts for gender equality in Myanmar, a Gender Unit has been separately established in the Department of Social Welfare under the Ministry of Social Welfare, Relief and Resettlement; the section will be extended to Region and State level. Gender Units are also being established and assigned at the Department of Rural Development and the Department of Health. In addition, an

action has been included in the National Strategic Plan for the Advancement of Women (2013-2022) so that the Ministries that are to implement the National Strategic Plan for the Advancement of Women (2013-2022) can establish a gender unit respectively.

Promoting the Role of Women's Participation in National Defence Services

37. In the defence services sector, only men served as armed personnel before and women had to serve only as nurses and medical officers in the Defence Services Medical Corps. Therefore, in order to promote the role of women's participation in the defence services of the State, women officer cadet training was able to be opened in 2013 as a milestone in Myanmar. Moreover, computer trainings for women sergeants (clerk) are now being provided. In the criteria for admission to the women officer cadet training and the computer training for women sergeants (clerk), bodyweight, height and age-limit are reduced for women by taking physical differences between male and female into consideration.

Engagement with Civil Society

38. Since the new administration took office in 2011, it has proactively and constructively engaged with the civil society and community-based organizations in identifying and resolving challenges faced by respective communities at grassroots level. The Forum on Peaceful Nation-Building and the Role of Civil Society, which was held in Yangon on 30 November 2013, testified to the Government's engagement with the civil society organizations at the highest political level, President U Thein Sein participated in the forum and exchanged views with over a hundred civil society organizations. Discussions on the promotion and protection of women's rights took place in the forum, among other topics. Section 354 (c) of the State Constitution guarantees the right of every citizen to form associations and organizations, if it is not contrary to the laws, enacted for Union security, prevalence of law and order, community peace and tranquillity or public order and morality. As of March 2014, (600) NGOs and (99) INGOs have been registered. They are functioning actively in many villages and cities throughout Myanmar.

Grants-in-Aid to Voluntary Organizations

39. The Ministry of Social Welfare, Relief and Resettlement has recognized and subsidized the registered voluntary organizations which provide shelters for vulnerable women. Rate of grant have been raised since the budget year (2012-2013) to meet today's needs. During the year 2012 to 2014, the Ministry was able to provide (719.47) million kyats to the (58) voluntary organizations, including voluntary women's homes. Furthermore, the Department of Social Welfare under the Ministry of Social Welfare, Relief and Resettlement has also subsidized financial assistance to mothers and children (triplets and above) from its budget annually. The grants have been raised to meet today's needs.

Measures for Women with Disabilities

40. The Section 32(A) of the Constitution of the Republic of the Union of Myanmar (2008) mentions that the Union shall care for mothers and children, orphans, fallen Defence Services personnel's children, the aged and the disabled. In addition, the Department of Social Welfare is taking a leading role in drawing up the

Rights of Persons with Disabilities Law. Section 17 of the draft law contains the following provisions with regard to women with disabilities:

(a) Women with disabilities are entitled to have full enjoyment of all human rights and fundamental freedoms on an equal basis with other women, for the rights of participation and decision- making in human society and also for the promotion of the living standards such as health, education and economy spheres;

(b) Participation in every programme aiming at all persons with disabilities on equal basis with men with disabilities;

(c) Entitled to participate and enjoy the benefits in the implementation of every programme for women in Myanmar;

(d) Have rights to be protected from all forms of violence and discrimination.

41. In addition, Section 27(B) of the draft law provides that plans shall be adopted and carried out to minimize the rate of disability-occurrence among children, women, expectant mothers and newborns, and older people.

42. In order to promote the participation of women with disabilities at different levels, the Ministry of Social Welfare, Relief and Resettlement in collaboration with Myanmar Women with Disabilities Federation, INGOs, Local NGOs and Women Network held the Women with Disabilities Forum on 15-16 March 2014 with the theme of "Forum on Towards Inclusive Development: Enhancing Credibility and Status of Women".

Temporary Special Measures (CEDAW Article-4)

Implementation

Women and Child Sub-Committee

43. The activities of the Women and Child Sub-Committee are described in detail in paragraph (23) above. In addition, the Women and Child Sub-Committee undertakes regular field visits to the Regions and States, and also explores and fulfils the needs and difficulties of the women and children in the respective areas.

Endeavours on the Elimination of Social and Cultural Norms of Discrimination against Women (CEDAW Article-5)

Implementation

44. In Myanmar, there are over (100) national races and cultures, customs and traditions and religion are different among the national tribes. At present, the Ministry of Culture is making an effort to record the present situation concerning the customs and traditions and religion of the national tribes. In addition, with a view to better understanding of the social practices and cultural norms in Myanmar and also of the effects of these practices and norms on the daily life of men and women, the Department of Social Welfare, in collaboration with the Gender Equality Network, is compiling research on cultural norms, social practices and gender equality. Moreover, the assessment survey will be conducted in the Regions

and States (except in Nay Pyi Taw Union Territory) and finished within the year 2014. To minimize the discrimination against women, the Government Organizations and Non-Governmental Organizations are working together by conducting awareness-raising programmes and implementing development tasks. Nevertheless, there is a need to draw up specific strategies and to disseminate awareness-raising to the people by utilizing mass media widely and effectively.

Awareness-raising on Violence against Women

45. Under the leadership of Myanmar National Committee for Women's Affairs, the Myanmar Women's Affairs Federation and Women's Affairs Organizations at different levels are conducting awareness-raising activities on various kinds of violence and their nature, information-sharing on the environment where violence tends to happen and agitated causes, subsequent adverse effects of violence, educative talks on health care and laws which women victims should be aware of to the womenfolk, and effective discussion with womenfolk. The situation of awareness-raising activities during 2008 to 2013 by the respective Women's Affairs Organizations is attached as annex "D" of this report. Moreover, about (91) articles related to women's rights, leadership, culture and anti-violence against women were described in government newspapers, private magazines and journals in 2012. Starting from 2013, the Department of Social Welfare is conducting awareness-raising training on violence against women at trainings offered at the Central Institute of Civil Service. In addition, Department of Social Welfare, in collaboration with United Nations Population Fund, has planned to conduct awareness raising trainings on gender-based violence with the assistance of foreign experts (5) times for a total of (320) responsible persons from both Ministries, and Region and State levels of the Myanmar Women's Affairs Federation in 2014. Plans are underway to provide capacity-building trainings to the police force, judicial personnel, social workers and health personnel who are working in the implementation of prevention of violence against women on a nation-wide scale.

Undertaking Research on Violence against Women

46. With a view to the effective implementation of prevention of violence against women, the Department of Social Welfare in collaboration with the Gender Equality Network is going to carry out a qualitative research on violence against women and women's resilience in Myanmar, as well as research on cultural norms, social practices and gender equality in Myanmar, with the aim of completing them within 2014. The Department of Social Welfare in collaboration with UNFPA will undertake quantitative research to study violence against women by collecting data nation-wide during 2014 and 2015. The expected outcome of these research studies is accurate information on the types and varieties of violence which women experience in Myanmar, causes that can probably create violence against women, and appropriate strategies to handle and minimize violence-occurrence in Myanmar. In drawing up the Anti-Violence against Women Law, the outcomes of the research will be taken into consideration as basic factors of inclusion in the law.

47. The Union Attorney General's Office in collaboration with UNDP has made an assessment of accessibility to justice in (3) Regions and States in 2013. The assessment reviews the situation of women's access to justice and their challenges.

48. The Department of Social Welfare is doing a gender situational analysis in collaboration with partner Ministries, United Nations Gender Theme Group (United Nations Resident Coordinator's Office, UNFPA, UNDP, United Nations Entity for Gender Equality and the Empowerment of Women-UNWOMEN and the Asian Development Bank). This assessment gives a first priority to the (4) sectors such as livelihood and economy, health, education and right to decision-making of women. This assessment will be utilized as basic factors in reviewing the implementation of the National Strategic Plan for the Advancement of Women (2013-2022) and also in making suggestions on policy.

Drawing up Anti-Violence against Women Law

49. Drawing up the Anti-Violence against Women Law is described in Article-2 above.

Providing Necessary Protection and Victims Assistance

50. The Department of Social Welfare and Pyi-Gyi-Khin, a Local NGO, will cooperatively carry out a community-based prevention of violence against women project in (4) townships of Shan State, Ayeyarwaddy Region and Mandalay Region, respectively. According to the project, regarding the information of violence and services, the women-friendly centres where women can frankly discuss and consult one another are initiated in the (4) target townships. Similarly, such centres will be opened in other Regions and States. In order to open temporary shelters on a national scale and to strengthen the sectors of health support, psychosocial support, judicial support and security support, the project has been drawn up and submitted to the Enhancing of Gender Equality and Women's Empowerment Sector Working Group. In addition, the Department is undertaking to get further technical assistance from the Development Partner Organizations.

Taking Action against the Offenders of Violence against Women

51. Myanmar is a society which opposes discriminatory and harmful norms and practices against women and girls. In response to the Committee's concluding observation no. 25, gender-based violence is never tolerated by culture or under law. The Criminal Procedure Code and Penal Code strongly prescribe severe penalties and punishments for those who commit rape or sexual violence against women and girls. GOM is coordinating to take action by law against offenders involved in violence against women who belonging to the ethnic-armed groups.

52. There is a zero tolerance policy against any sexual misconduct by the military personnel as well. From January 2007 to March 2012, (2) officers and (33) other ranks who reportedly committed rape cases were sent to civilian courts. Severe punishments were given to them ranging from a seven-year imprisonment to death penalty. Organizations involved in activities for anti-violence against women and suffering women victims can candidly complain to nearby military or civil authorities in order to take action against offenders. The Government military authorities will take prompt actions against accused military personnel as complaints are received. Number of rape cases and their status in respective courts of different states and regions in 2013 and 2014 are mentioned in annex "E" and "E-1".

The Situation of Women's Participation in Peace and Security Building Tasks

53. To develop democracy and the nation, internal peace is essential. Therefore, the Union Government is making efforts to achieve peace across the nation. To gain internal peace and national reconsolidation, the Union Level Central Committee and Working Committee were formed. The Union Level Working Committee consists of (52) members including two women representatives of Pyithu Hluttaw. In addition, Myanmar Peace Centre was also established to accelerate the peace-making measures.

54. In addition, to enhancing the participation of women in the implementation of the peace-making process, the Ministry of Social Welfare, Relief and Resettlement in collaboration with the Myanmar Women's Affairs Federation and UN Agencies held the "Open Day on Women, Peace and Security" meeting in 2013; the National Women's Dialogue; Women, Peace Security and Development in 2013 in collaboration with Gender Equality Network, Women Organization Network (Myanmar), Civil Society Organizations and Civil Society Forum for Peace; and the First and Second Voice of Women's Forum in 2012 and 2013 in collaboration with UN Agencies, INGOs, NGOs, Gender Equality Network, Women Organization Network (Myanmar) and Civil Society Organizations. Moreover, the First International Women's Forum was able to be held in 2013 and Myanmar women actively participated in the Forum. Moreover, on behalf of the State, Myanmar women have been attending workshops on women, peace and security in ASEAN Region.

Prohibition of Trafficking in Women and Related Sexual Exploitation (CEDAW Article-6)

Implementation

Measures on Elimination of Sexual Exploitation against Women and Children

55. The Myanmar Police Force in collaboration with Ministry of Labour, Employment and Social Security and the Ministry of Hotels and Tourism has been conducted a total of (2,172) educational talks on trafficking in persons and child sexual abuse, with a total of (522,784) staff attending; an additional (10) workshops were conducted and attended by (278) staff. The scrutinizing and screening against the tourists who commit child abuse and ban of the tourists visas have been systematically and regularly checked. Moreover, in order to prevent from child sexual abuse, (10,000) stickers, (3,000) posters, (2,093) booklets on trafficking in persons, IEC materials and pamphlets were distributed to the Hotel Entrepreneurs Association, private hotels, tourism groups and transportation-vehicles for awareness-raising purpose in collaboration with UN Agencies and International Organizations.

56. To carry out the elimination of human trafficking with momentum, the Anti-Trafficking Unit formally comprising (176) police personnel was extended and upgraded to the Anti-Trafficking in Persons Division on 24 January 2013. The location of deployment of the Anti-Trafficking in Persons Division is attached as annex "F" of this report, and the list of strength of the Anti-Trafficking in Persons Division is attached as annex "G".

57. During the period from 2008 to 2013, a total of (820) human trafficking case was reported in Myanmar. Out of these cases, there were (102) domestic trafficking cases involving trafficking from the countryside to cities, and (718) cross-border trafficking cases respectively. Those (820) trafficking cases were charged in courts and (2,270) offenders were taken into action by law. Out of the (1,768) trafficking victims, (1,331) victims were rescued. List of cases and taking action against the accused offenders are attached as annex "H" of this report.

58. The Hot Line on Human Trafficking started functioning on 13 September 2011 and (443) complaints from the public were received and resolved. Out of (443) complaints, there have been (130) missing cases and (118) missing people were discovered and reunited with their families. Similarly, (8) trafficking victims and (7) labour exploited workers were rescued and repatriated from China with the assistance of the hotline.

59. In order to avoid misconduct in prosecuting trafficking cases or arresting of innocent people especially among women in ethnic groups, Myanmar's Central Body for Suppression of Trafficking in Persons has issued sanction to charge traffickers after scrutinizing the trafficking cases submitted by the Region and State Police Forces in accordance with the legal advice from state prosecutors. Suspected traffickers have the right to defend themselves at the courts through lawyers. If they assume that the penalty is not fair or just, they have the right to appeal. If the victims send the complaint directly, the necessary actions have been taken promptly. However, there is a need to provide capacity building trainings on the concept of gender for service providers assisting victims of trafficking.

Provisions of Trafficked Victims Support and Measures

60. Section 22 of the Anti-Trafficking in Persons Law (2005) mentions that the Central Body for Suppression of Trafficking in Persons can establish a fund with money supported by the State and money donated from local and foreign sources, and also accept and administer the property supported by the State and property donated from local and foreign sources for the purpose of utilizing it for the suppression of trafficking in persons, repatriation and rehabilitation of trafficking victims. To be able to undertake measures in accordance with the Section 22 of the Anti-Trafficking in Persons Law, a Fund-Finding and Supervisory Committee and the Treasury-Controlling Committee for Prevention and Protection of Trafficking in Persons, Repatriation and Rehabilitation of Trafficked Victims were formed on 6 April 2012.

61. As the implementation of the above-mentioned provision in the second Five Years National Plan of Action (2012-2016), the respective courts had decided to give compensation of (4,987,000) kyats to (19) trafficking victims from among (12) cases of trafficking in persons. Moreover, if victims want to charge for their damages to the court, the Central Body for Suppression of Trafficking in Persons coordinates with concerned Departments, social societies, UN Agencies and International Organizations for hiring lawyers and receiving legal aid free of charge.

62. In addition, according to the reviews of the implementation tasks by Myanmar Central Body for Suppression of Trafficking in Persons, the Anti-Trafficking in Persons Law is also to be reviewed.

63. During the period 2007 to 2013, Government Organizations, Local Organizations, United Nations and INGOs utilized (28,109.8) million kyats in combating trafficking in persons and (72.1%) of the expenditure was borne by relevant Government ministries and (27.9%) was borne by UN Agencies and INGOs.

Effective Implementation on National Plan of Action to Combat Trafficking in Persons

64. During the period of the first Five Year National Plan of Action to Combat Trafficking in Persons (2007-2011), the following activities were carried out to address human trafficking: promulgation of the Anti-Trafficking in Persons Law; establishment of the Central Body, establishment of Region and State, District and Township level Committees for Suppression of Trafficking in Persons; making policy and cooperation among government and development partners; carrying out prevention, prosecution, protection and capacity building activities in line with international norms and standards; cooperating with the Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT) process and the Asia Regional Trafficking in Persons (ARTIP) project; signing MOUs with neighbouring countries, specifically China and Thailand, in 2009. Moreover, a total of (16,589) Community Based Watch Groups were established and assigned responsibilities in Regions and States. The second five year National Plan (2012-2016) is being implemented with annual work plans. In Myanmar, the annual work plans under the National Plan of Action are being implemented year by year in collaboration with (18) Government Organizations and (9) UN and INGOs, in total (27) state and non-state Agencies. In addition, Myanmar's Anti-Trafficking in Persons Day was celebrated on 13 September 2013 all over the country at the same time.

Awareness-raising on Anti-Trafficking in Persons

65. In order that the persons in different levels who are involving in the activities of anti-trafficking in persons can understand the Anti-Trafficking in Persons Law (2005), trainings are being conducted. During the year 2007 to 2013, a total of (210,030) persons attended those trainings. Besides, in order to make awareness-raising on Anti-Trafficking in Persons Law and other instructions to the public, special programmes were carried out in Yangon, Bago and Ayeyarwaddy Regions where trafficking is most common.

66. A website was launched in 2011 for sharing human trafficking information with the public. The laws related to human trafficking, MOUs, relevant international Conventions, and other information can be accessed at www.myanmarhumantrafficking.gov.mm. There is a need to systematically record the information of human trafficking in terms of gender, race, age, urban and rural areas of Regions and States levels, respectively.

67. In addition, with the assistance of Association Francois-Xavier Bagnoud (AFXB), UNICEF, World Vision and Save the Children, MTV Exit produced and broadcasted educative video clips and video short snaps, songs and stories on human trafficking through Myanmar television programmes. During 2012, human trafficking educational stage shows and road shows were performed in (4) Regions and States, educating audiences countrywide who numbers totalled over (100,000) persons.

68. According to the guidance of the Central Body for Suppression of Trafficking in Persons, the following activities were conducted: erecting billboards at bus

terminals, showing human trafficking educational videos on screens installed at vehicles and rest-areas of bus terminals, posting educational posters at rest-areas of highway bus terminals, posting educational stickers on highway passenger buses, distributing pamphlets to transport-workers and passengers, and providing human trafficking education to the transport-workers in small groups. Moreover, human trafficking awareness-raising activities are conducted through printed media. In publishing and distributing pamphlets in ethnic languages; (205,500) pamphlets were published in Kachin language, (395,000) pamphlets in Myanmar language, (101,500) pamphlets in Kayin language and (101,000) pamphlets in Shan language, and (3,500) copies of the song-series titled "love-lamp" were also published. It is necessary to undertake further research and survey on the causes of human trafficking in Myanmar from the gender and cultural points of view.

Measures on Repatriation, Reintegration and Rehabilitation of Trafficked Victims

69. For providing separate and special care to trafficked victims, new (50) bed-shelters for trafficked victims were opened in Muse, Mandalay and Kawthaung respectively. They are temporary shelters that receive and provide necessary care and direct assistance to trafficked women repatriated from Thailand and China. Such shelters will also be opened in Myawaddy and Tachileik in the near future.

70. The Information Centre for Trafficked Persons under the Department of Social Welfare was opened in 2014 in order to carry out activities such as distributing necessary information, providing psychosocial support, joining with the victim-supporting agencies and assisting trafficking victims to access employment opportunities after they have been repatriated.

71. From the year 2010 to 2013, the Department of Social Welfare in collaboration with Myanmar Police Force, Myanmar Women's Affairs Federation, UNIAP, UNICEF, the International Organization for Migration (IOM), World Vision and Save the Children offered rehabilitation and reintegration support to (1,145) Myanmar victims of trafficking (and their families) repatriated from China, Thailand, Indonesia, Malaysia, Timor-Leste, Jamaica and Singapore.

72. The Department of Social Welfare under the Ministry of Social Welfare, Relief and Resettlement was able to develop the National Guidelines on Return/ Repatriation and Reintegration of Trafficked Victims and plans to offer training for anti-trafficking service-providers on the effective application of the guidelines.

73. Myanmar signed an MOU on anti-trafficking with Thailand in April 2009 and work plans have been drawn up and carried out since 2009 for the successful bilateral implementation of the MOU. From April 2008 up to May 2014, cross-border Case Management Meetings between Myanmar and Thailand on the Return and Reintegration of Victims of Trafficking were held (14) times. Myanmar case workers from the Department of Social Welfare were sent to victim care shelter in Thailand a total of (23) times. As a result, the process of repatriation and reintegration became quick and smooth and that action helped to expose human traffickers.

74. In order to systematically carry out the repatriation and reintegration of trafficked victims, "Bilateral Standard Operating Procedures on Management of Cases and the Repatriation and Reintegration of Victims of Trafficking" were signed between Myanmar and Thailand on 15 March 2013 in Nay Pyi Taw. In addition, a new Case Form for capturing information about individual victims of trafficking to

be used among several countries of the Mekong Region was revised and adopted on 16 May 2013.

Systematic Monitoring and Evaluation including data collection and assessments

75. The Central Body for Suppression of Trafficking in Persons has established a Database System since 2007 and records the activities of National Plan of Action to Combat Trafficking in Persons annually; it also analyses cases, evaluates and reviews strength and weakness, publishes an annual progress report, explores challenges, and designs future plans regularly. Nine police officers were provided with the Training on mapping Geographic Information System (GIS) in October 2013 and assigned at the Database System Unit.

Women's Participation in Political and Public Life (CEDAW Article-7)

Implementation

76. Concerning the right to women's participation in political and public life on an equal basis with men, the Constitution of the Republic of the Union of Myanmar (2008) prescribes as follows:

(a) Section 349 provides that citizens shall enjoy equal opportunity in carrying out the following functions: public employment; occupation; trade; business; technical know-how and vocation; exploration of arts, science and technology.

(b) Section 369 (A) provides that subject to this Constitution and relevant laws, every citizen has the right to elect and right to be elected to the Pyithu Hluttaw, the Amyotha Hluttaw and the Region or State Hluttaws.

Women's Participation in Decision Making Level

77. The situation of women's participation in all areas of public, political and professional life is increasing in comparison with that of past times. Although only His Excellences were in government service at the Minister level in the previous Government, the two Her Excellences are taking responsibility as Union Minister for Ministry of Social Welfare, Relief and Resettlement and Union Minister for Ministry of Education, respectively in the existing Union Government. In addition, a total of (14) Her Excellences are serving as Deputy Ministers at Union level in the Ministry of National Planning and Economic Development; Ministry of Social Welfare, Relief and Resettlement; Ministry of Health; Ministry of Environmental Conservation and Forestry; Ministry of Labour, Employment and Social Security; Ministry of Culture; Central Bank of Myanmar; the Myanmar National Human Rights Commission; and the tribunal of the State Constitution, respectively.

78. The ratio of women's participation in the Government Organizations and Ministries of the State is (51.42%) in 2008-2009, (51.65%) in 2009-2010 and (52.39%) in 2010-2011.[1] Therefore, it is found that the percentage of women's participation is increasing year by year. Moreover, the rate of female employed at

[1] Statistical Profile of Children and Women in Myanmar (2009) published by Central Statistical Organization.

the Deputy Director or equal and above posts is (32.52%) in 2008-2009, (36.03%) in 2009-2010 and (36.61%) in 2010-2011. So it is obvious that the percentage is increasing year by year. The situation of both women's participation and female employed at Deputy Director or equal and above posts in State Organizations and respective Ministries is attached as annex "I" of this report.

Women's Participation in Myanmar Hluttaws

79. In the respective Hluttaws constituted following the multi-party, democratic general election in 2010, the rate of female representatives is increasing in comparison with those of the past time. In the elections of 2010 and 2012, a total of (138) women candidates were elected and out of them, (55) women were elected as Hluttaw representatives. According to the data, there are (4) women representatives in the Amyotha Hluttaw, (26) women representatives in the Pyithu Hluttaw, and (25) women representatives in the Region and State Hluttaws.

Women's Participation in the Judicial Sector

80. There are (1,091) judicial officers assigned throughout the country. Out of them, the number of male judicial officers is (544) and the numbers of female judicial officers are (547). There are also (52) judges of the High Courts of the Regions and States. Out of them, (16) women judges and (36) men judges are undertaking their duties.

81. In order to ensure enhancement of women's participation, representation and leading role, and to effectively succeed in women development policy-making, it is also needed to do awareness raising activities and capacity-building programmes and helping them along for enhancing women's participation in parliaments and decision making level. Moreover, there is also need to record the situation of women's participation in different levels and sectors in terms of age, race, urban and rural areas.

International Representation (CEDAW Article-8)

Implementation

82. Regarding international representation, there is no restriction by law. In the posts of Deputy Director or equal and above level under the Ministry of Foreign Affairs in 2008-2009, the rate of women's participation was (17.16%) and increased to (21.78%) in 2011. Up to 2013, there is a total of (485) women personnel (51.71%) working in Ministry of Foreign Affairs. A total of (373) women personnel (60.67%) work in the headquarters and (112) women personnel (38.49%) work in Myanmar Embassies, Myanmar Representative Offices, and Myanmar Consulates in foreign countries. At present, Ministry of Foreign Affairs and Ministry of National Planning and Economic Development are jointly providing trainings for economic attaches and (4) women economic attaches (who represent 45% of the total number of persons in the position of Economic Attaches in overseas missions) are assigned in (9) Myanmar Embassies abroad.

83. In addition, Myanmar women representatives from GOs and NGOs as delegation leaders or delegates on behalf of the State attended the United Nations General Assembly, Conferences held by the United Nations and its Agencies,

Disarmament Conference, ILO Conference, World Summits, World Health Assembly, and International Nuclear Energy Agency Conference.

84. Myanmar women are working at the ASEAN Commission on Promotion and Protection of the Rights of Women and Children, and at the ASEAN Committee on Women as representatives, and also undertaking duties at the ASEAN Secretariat as personnel. The delegation headed by the Union Minister for Ministry of Social Welfare, Relief and Resettlement attended the first Meeting of ASEAN Ministerial meeting on Women held in Laos in 2012 and the Women Forum held in France in 2013. Similarly, Myanmar women delegation made a study-tour to women and child rights organizations in the United States of America in 2012, and attended the 58th Session of the Commission on the Status of Women in 2014. Moreover, (3) Myanmar female officers from the Ministry of Foreign Affairs were selected and sent on the Scholarship Programme on UN disarmament in 2006, 2009 and 2013.

85. The representatives of women workers from the Peasants and Agriculture-based Workers' Organization, and the representatives of women employers from the Union of Myanmar Federation of Chambers of Commerce and Industry, attended the 102th International Labour Conference held in Switzerland in 2013. The (16) members delegation comprising government representatives, representatives of female workers, representatives of employers and advisers, attended that Conference. Among the delegates, there were (6) women, including female advisers.

Citizenship (CEDAW Article-9)

Implementation

86. Women, children and men enjoy equal rights to acquire, change or retain their nationality in Myanmar. The Myanmar Citizenship Law (1982) has no discriminatory or restrictive provisions against women and their children. According to the Child Law (1993), it is prescribed that every child shall have the right to citizenship in accordance with the provisions of the existing law. According to the Myanmar Citizenship Law (1982), (12,140) applicants were granted associate citizen status and naturalized citizen status during the period 2008 to 2013 without any discrimination against women. Women and men have equal rights in acquiring status as associate citizens and naturalized citizens.

87. In response to concluding observation no. 31 of the CEDAW Committee, (8) Hluttaw representatives discussed the Myanmar Citizenship Law (1982) at the 5th regular meeting of the first Amyotha Hluttaw. The Hluttaw decided to continue exercise the Myanmar Citizenship Law (1982) as it is without amending or repealing.

Education (CEDAW Article-10)

Implementation

88. In the education sector, to develop human resources for the development of the nation, the (20) years Long Term Education Development Plan encompassing programmes for basic and higher education is being implemented. In line with the long term education development plan and adopting the Millennium Development Goals, the Myanmar Education for All-National Action Plan (2013-2015) is being

carried out. The expenditure of the education sector was (155,572.892) million kyats in 2007 and it increased up to (642,825.625) million kyats in 2013.

89. It is found that the number of girls going to school in the academic year (2012-2013) decreased by (0.4%) at primary level but increased by over (3%) at middle and high level in comparison with the academic year (2005-2006). As a special programme of free and compulsory primary education starting from the academic year (2013-2014), all primary students are provided with a complete set of text-books and exercise-books free of charge and also provided with (1000) kyats per head. Moreover, from the academic year (2014-2015), all middle students are provided with a complete set of text-books free of charge and exemption of school fees.

90. In basic education level, the rate of school drop-out in the academic year (2011-2012) is (3.12%) in comparison with the year 2007. Learning opportunity of girls and boys in urban and rural areas is not significantly different. Nevertheless, there is a need to undertake more research on the main difficulties that hinder learning opportunity of women and girls, and the situation of access to formal education and non-formal education. In doing so, work plans will be laid down and implemented in line with the National Strategic Plan for the Advancement of Women (2013-2022).

91. The number of women attending the Post Graduate programme in 2013-2014 has increased by (0.11%) in comparison with the year 2006. The number of women who gained doctorate degree has increased by 3.97%. Research on the situation of real access to learning opportunities in the vocational universities, such as science and technology and industry and also in non-formal education for women, will be included in the implementation of the National Strategic Plan for the Advancement of Women (2013-2022). In the basic education sector, out of the total teaching staff, (85.2%) were woman teachers in the year (2013-2014). At university level, the rate of woman professors has increased by (9.1%) in comparison with the year 2006.

92. Starting from the academic year (2012-2013), university scholarship, middle and high scholarships and education stipends are selected and awarded more and more by the state. During (4) year from the academic year (2014-2015), stipend for schools, trainings and education stipends for the poor are to be selected and awarded with the loan money without interest, assisted by the World Bank.

93. In addition, in order to develop with equal proportion in respective areas and access to basic education, education programmes are extended up to sub-townships and each of them has at least one Basic Education High School with good image. Teaching learning materials and laboratory apparatus are also provided for improving learning qualities of the students at basic education level. In order to promote teaching-learning quality, training programmes on the enhancement of the abilities of teachers are being undertaken.

94. Moreover, UNICEF assisted education project; "Basic Education and Gender Equality Programme-BEGE" has been implemented for providing all children to have access to quality basic education without gender discrimination. Likewise, women have an equal chance to participate in other education activities such as lifelong education, in-service adult literacy programme, sports and health education.

95. In order that every citizen has access to completion of basic education, Education for All Programmes has been formulated and implemented. This being so, an education programme for children with physical and mental disabilities, children

with visual impairments, children with hearing impairments, children with intellectual disabilities is being provided. In the academic year (2013-2014), according to the Education for All Programme, a total of (439) boys and (350) girls from schools for the visual disabilities and schools for the hearing disabilities run by the Department of Social Welfare, and the special schools run by voluntary organizations, are learning formal education at their schools and also at the respective Basic Education Schools.

96. In implementing the area of women, education and training which is one of the main areas of National Strategic Plan for the Advancement of Women (2013-2022), the programme to strengthen the systems, structures and practices for ensuring access to formal and non-formal quality education for women and girls will be conducted in collaboration with the concerned ministries, local and international organizations, civil society organizations and women organizations as a network.

Employment (CEDAW Article-11)

Implementation

97. In order that women can have equal rights as men in the labour market, Sections 347, 348, 350, 351, 352 and 368 in Chapter (8) of the Constitution of the Republic of the Union of Myanmar (2008) are prescribed. Labour Exchange Offices are established, conducting labour registration and job-placement. With regard to job-placement, there is no discrimination against women in the law and rules related to the law. However, some placements are to positions that are suitable for men only in accordance with the situation of natural work-places (for example, in mining and petroleum), and women, therefore, cannot be appointed to those positions.

98. With regard to the equal pay for equal work, women are entitled to the same rights and salaries as that received by men in respect of similar work in most of the intellectual work. In manual work, women and men can get their earnings, depending on manual labour and work done (for example, construction and agriculture). The Minimum Wage Law has been enacted in order that women and men may enjoy equal wages. In order to specify the minimum wage, workshops are being conducted in Regions and States respectively. It is necessary to carry out research on the definition of similar work, variety of work, different wages due to gender issue, and conduct awareness-raising and to be included in the respective laws in line with the National Strategic Plan for the Advancement of Women (2013-2022).

99. With regard to labour force participation, the labour force participation rate of women grew to (6.7%) from the year 2005 to 2010. In agriculture sector, it rose from (41.3%) to (44.7%) from the year 2005 to 2011. In government departments, it grew to (51.4%) from the year 2008 to 2009 and it increased to (52.4%) in the year 2010 to 2011. With regard to women's participation in decision-making in Government sectors, the rate of deputy director or equal and above level increased to (32.5%) from the year 2008 to 2009, and it rose to (36.6%) from the year 2010 to 2011.

100. In the existing labour laws, pregnancy and maternity entitlement, maternity leave with wages, occupational safety and health, and occupation condition for women are prescribed. In addition, Complaint Mechanism Centres are established in Nay Pyi Taw and Yangon to inspect and supervise labour affairs.

101. According to the new Social Security Law (2012), insured women workers have the right to take free medical care at the permitted hospital and clinic in cases of illness, pregnancy and confinement, and the right to enjoy maternity leave in case of miscarriage being not a criminal abortion. Women may also enjoy the right to benefits in cases of death, workplace injury, temporary disability, permanent disability, and remainder. Moreover, an insured man is entitled to enjoy the paternity benefit for confinement of his wife and maternity grant.

102. The labour force survey is being conducted in collaboration with International Labour Organization, and a survey on situation of women in Myanmar is also being undertaken in collaboration with UN agencies. It is estimated that the labour force survey will be conducted annually.

103. According to the (2012) data collection in joint-ventures, private enterprises, own business and other businesses, the number of workers is (4,199,840) in total, of which (2,504,933) are male workers and (1,694,907) are female workers.

104. With the aim to improve the quality of women's leadership and to take responsibility in administrative areas, the Department of Labour has opened skill-training centres where not only men but also women are attending the respective trainings. Moreover, the superintendence-trainings were opened (8) times in 2013 for the superintendents from the ministries, factories in industry-zones, private enterprises; out of the (386) trainees who participated in these trainings, (232) were women.

105. As measures on setting common competency standards in ASEAN are being undertaken to facilitate Free Flow of Skilled Labour in ASEAN Region by ASEAN Economic Community in 2015, the National Skills Standard Authority was formed. The National Skills Standard Authority's functions include drawing up skills standard according to the needs of labour market, developing curriculums, establishing competency assessment training centres, and issuing certificates to skilled workers at the national level.

106. **Migrant Workers' Affairs**: For migrant workers abroad, the Overseas Employment Supervisory Committee was formed and the Committee creates easy, smooth and cost effective ways and means which help workers to be able to work abroad and protects Myanmar migrant workers to enjoy their rights and benefits in accordance with the respective countries' laws. The Committee also provides assistance to Myanmar migrant workers who want to return home because of various reasons.

107. Employment policy and labour migration policy were drawn up and laid down and labour attaches are assigned to Myanmar's diplomatic missions in the Republic of Korea, Thailand and Malaysia. Likewise, labour attaches will be assigned in Kuwait and Singapore.

108. The Department of Labour has signed with Japan International Training Cooperation Organization (JITCO) to send Myanmar workers to Japan and is taking measures in accordance with this agreement.

109. The temporary passport-issue teams are opened in (13) cities of Thailand and temporary Myanmar passports were issued to undocumented Myanmar workers in Thailand from 2009 to 2013. From 10 July 2009 to 31 December 2013, a total of (1,680,556) Myanmar workers including (938,263) male workers and

(742,293) female workers were issued with temporary Myanmar passports. Moreover, Ministry of Labour, Employment and Social Security has been issuing the temporary ordinary passports (TR-38) for undocumented Myanmar migrant workers in Thailand; the temporary ordinary passports have been issued to (203,216) Myanmar migrant workers from 30 June 2014 to 4 August 2014.

110. Similarly, temporary Myanmar passports were also issued to undocumented Myanmar workers in Malaysia through 6P Program; about (100,010) Myanmar workers got the passports. Starting from December 2013, the rest registered Myanmar workers will be issued the evidences.

111. The implementing of provisions of the existing labour laws, including the Constitution of the Republic of the Union of Myanmar (2008) leads to gender equality. Nevertheless, there is a need to accelerate the measures on making surveys, reviewing, amending and implementing in line with the norms of the UNCEDAW with regard to ensuring access and opportunity of enjoying the benefits of the provisions of the laws for the women working at different levels of different sectors.

Health (CEDAW Article-12)

Implementation

112. For the health development of women and children in Myanmar, health services are carried out by prescribing health related laws, policies and health development plans. To protect the rights and enjoyment of health benefits of women and children, the following health related laws, policies and plans are prescribed:

(a) Union of Myanmar Public Health Law (1972)

(b) Myanmar Maternal and Child Welfare Association Law (1991)

(c) National Health Policy (1993)

(d) Myanmar Reproductive Health Policy (2002)

(e) Five-Year Strategic Plan for Reproductive Health (2009-2013)

(f) Adolescent Health and Development Plan (2009-2013)

(g) The 30 year Long Term Health Development Plan (2001-2030)

(h) National Health Plan (2011-2016)

(i) Myanmar National Strategic Plan on HIV/AIDS (2011-2015)

(j) National Strategic Plan for the Advancement of Women (2013-2022)

(k) Standard Guide Line on Adolescent Reproductive Health (2013)

113. The rate of women officials working in Deputy Director or equal and above posts under the Department of Health is (51.5%). Out of all staff, (57.99%) are women at official level and (89.66%) are women at staff level. One of the two Deputy Ministers is also a woman.

Reproductive Health and Birth Spacing Services

114. According to the Five Year Strategic Plan for Reproductive Health (2009-2013), to meet the objectives of the reproductive health strategies, the core activities

are improving antenatal, delivery, post-partum and newborn care, providing quality services for birth spacing and prevention and management of unsafe abortions, preventing and reducing reproductive tract infections (RTIS), sexually transmitted infections (STIs) including HIV, and promoting sexual health, including adolescent reproductive health and male involvement.

115. There have been improvements in the coverage of interventions to reduce maternal mortality, including birth spacing services and access of all pregnant women to skilled care during pregnancy, childbirth and post-partum period. Accordingly, (63.6%) of pregnant women received antenatal care at least once in 2006 and it increased to (74.8%) in 2012. Moreover, the proportion of deliveries attended by skilled health personnel rose from (63.6%) in 2006 to (70.9%) in 2012. GOM has made a promise to the United Nations to enhance the rate of received antenatal care up to (80%) and the rate of delivery attended by skilled health personnel up to (80%), also in 2015.

116. According to the survey (2007) of the Department of Population, the adolescent birth rate is (17%). According to the statistics of UN Agencies, the maternal mortality rate in Myanmar is (580) out of (100,000) live-births in 1990; it decreased to (200) in 2010 and it is continuously decreasing. In 2013, trainings on using a new birth spacing method of putting contraceptive device under the skin were conducted in all Regions and States and a total of (433) health personnel including doctors and nurses were practically trained.

117. (41%) of married women aged 15-49 years were using some forms of contraception and unmet need for contraception decreased from (19.1%) in 2001 to (17.7%) in 2007. Basic health staff were trained for counselling skills in birth spacing services. The birth spacing methods mainly used in the country are injection, oral contraceptive pills, condom, intrauterine device, and emergency contraceptive pills. Birth spacing services are available in government health centres up to sub-centres as well as in private clinics such as GPs and INGOs. Myanmar is one of the (46) member countries of World Reproductive Health Care Security Board. Therefore, Logistic Management Information System is established to improve buying, storing and distributing medicines and medical devices of reproductive health. Ministry of Health bought and distributed contraceptive medicines and devices worth US$ (3.2) million in the fiscal year (2013-2014) and will also enhance the estimated budget for mother and child-health-care services year by year. But, it is needed to conduct awareness-raising on more utilization of available birth spacing methods and provide more contraceptive medicines and devices to women.

118. In addition, adolescents in schools are being educated for reproductive health information and knowledge in Life Skill Education courses. But, there is a need to include gender concept in the Life Skill Education courses. In Five Year Strategic Plan for Reproductive Health (2014-2018) and National Strategic Plan for Adolescent and Development (2009-2013), promoting sexual health including adolescent reproductive health and male involvement is an important component. National Standard Guideline for Adolescent Health is being drawn up with the involvement of all related sectors and next plan is to develop the manual of adolescent job aids. The trainings of basic health staff for adolescent-friendly health services, including reproductive health, are going to be conducted after the development of standard guidelines. United Nations Population Funds (UNFPA) and

World Health Organization (WHO) also provided US$ (4,475,911) for reproductive health care services in the year 2010-2011. To provide reproductive health education among peer groups of youth, youth community members are being nurtured, and up to 2013, over (3,600) youths have been trained in (72) townships respectively.

119. As for future actions, Myanmar being a member country of World Reproductive Health Security Board is going to widely carry out the task of fullness of contraceptive medicines and devices. Myanmar delegation attended the Family Health Plan (2020) Conference held in Ethiopia in 2013. In Myanmar, it is planned that the rate of unmet need for contraception will decrease to below (10%) in 2015, and the rate of using some forms of contraception will increase to (50%) in 2015 and (60%) by 2020. Moreover, it is planned that birth spacing services will cover (30) million married couples who are fit for using birth spacing methods in 2020. The Department of Health in collaboration with UN Agencies implemented reproductive health care services in (30) townships of ethnic-living areas up to 2013. At present, reproductive health programme has been carried out in (163) townships and will be extended and implemented in the remaining townships. Reproductive health services are being carried out, leading to the poor and rural area.

120. The rate of outbreak of anaemia in women is (71%) in pregnant women, (75%) in children under 5 years of age, (26%) in youth and (45%) in non-pregnant women respectively. The rate of abortion is (3.3%). According to the Nation-Wide Cause Specific Maternal Mortality Survey (2005), the death due to unsafe abortion is (9.9%) of maternal mortality and the death due to infection is (7%) of maternal mortality. The birth rate in the 15-19 age groups is (17.4%) in 2001 and (16.9%) in 2007. In order to promote women's health and prevent from death, the budget for health care services is (11.25%) of the total budget of Ministry of Health (i.e. 17,000 million kyats). During the year 1990 to 2010, maternal mortality rate and causes of death are attached with annex "J".

Activities on birth and death registration

121. Birth certificates for children born in Myanmar are issued by Department of Health in accordance with set procedures. According to the Multiple Indicator Cluster Survey (2010), the rate of birth registration in urban area is (93.5%) and (63.5%) in rural area. The rate is lower especially in remote area.

122. For the children born outside the country, the respective Myanmar Embassies or Consulates or the Organizations authorized by Ministry of Immigration and Population are undertaking birth registration through their parents or guardians within one year after birth in accordance with established procedures. From 2007 to 2013, total of (412) children born outside the country were provided with birth registration. Plans are underway to lay down and carry out more appropriate work-plans by exploring the difficulties of birth registration for children born from the migrant parents who have evidence or no evidence.

123. Under the Notification No. 2/2014 dated 14 January 2014 by the Union Government of the Republic of the Union of Myanmar, the Committees for Cooperation of Birth and Death Registration Statistics were established at Central level, Nay Pyi Taw Council, Region and State Level, District and Township level, and Ward and Village level respectively, and assigned their duties.

HIV/AIDS

124. The Ministry of Health reviewed the National Strategic Plan on HIV/AIDS (2006-2010) and has developed the Five Year National Strategic Plan on HIV/AIDS (2011-2015). In the plan, aiming to enhance the primary prevention of HIV transmission among women and girls, priority has been given to include the provision of comprehensive prevention services to regular partners of most at-risk populations and clients of female sex workers who will in turn transmit the infection to their regular partners.

125. In addition, a package of behaviour change communication services (including awareness-raising, condom promotion, diagnosis and treatment of Sexually Transmitted Infections (STIs) and HIV counselling and testing services) is being provided to institutionalized persons and uniform-service personnel in close coordination with related ministries. In 2012, (5,041) institutionalized population and (7,038) uniform-service personnel have been reached with this HIV prevention programme.

126. HIV counselling and testing service is being provided at (470) sites in (256) townships and the number of women who have received HIV counselling and testing is increasing, it is found. In 2012, over (303,321) pregnant women, about (60,191) female sex workers and about (12,397) female regular partners of most at-risk population accessed HIV testing through PMCT programme.

127. Prevention of Mother to Child Transmission of HIV (PMCT) has been implemented since 2001 and it covers (256) townships and (38) hospitals by the end of 2013. The trend of women undergoing HIV testing as well as those provided with prophylaxis to prevent the transmission of HIV to the child continued to rise. In order to promote male involvement, couple counselling services and intimate partner disclosure approach have been introduced in (20) piloted townships.

128. In 2012, out of (125,000) people in need of ART (with CD 4<350), (53,709) people received ART. In-depth analysis of coverage revealed that (57%) (4,215 of 42,667) of women in need of ART have received ART in 2012 and it was (36%) (29,494 of 82,786) for men. As a linkage between hospital and community based services, home based care services were provided to a coverage of (31,667) men and women living with HIV infection. But there is a need to undertake more research on social effects on girls and their families because of HIV/AIDS.

Economy and Social Life (CEDAW Article-13)

Implementation

Right to Family Benefits

129. In Myanmar, there are over (100) national races practicing different customs and traditions. Some customs and traditions affect the right to social life and the right to have access to economic resources for women. It is needed to review the practice of customs and traditions that hinder the right of equal family benefits.

Right to Bank Loans and other Forms of Financial Credit

130. GOM has laid down and implemented (8) tasks of rural development and poverty alleviation. In the (8) tasks, development of rural production and cottage

industries, development of private micro-credit business, rural socioeconomic development, and development of cooperative business are included and implemented. In Myanmar, there is no prohibition by law against women with regard to enjoying economic resources. Women have the right to borrow money from banks or micro-credit business with equal insured properties as men.

131. To promote access to economic resources for women, Myanmar Women's Affairs Federation (MWAF) under the leadership of Myanmar National Committee for Women's Affairs (MNCWA) has been carrying out micro-credit systems and income generating activities for rural women since 2005 with a view to poverty alleviation and enhancement of income. The activities of micro-credit and income generating programmes by MWAF in respective Regions and States from 2007 to 2013 are attached as annex "K" of this report.

Right to Recreational Activities, Sports and Cultural Life

132. GOM is encouraging and providing women to participate in recreational activities, sports and cultural life. The facts about the formation of Myanmar Women's Sports Federation had been described in the previous report. At present, the programmes to enhance the quality of Myanmar women athletes are being provided to be able to take part in international sports competitions. Myanmar women football team was established in 1993 and success is being achieved in competition at ASEAN level and Asia level.

133. Myanmar women have been participating in various kinds of sports and games at national level, regional level and global level since over (30) years ago and brightened the prestige of the nation. The situation of competition and winning awards in South East Asia Games and Paralympics during 2007 to 2013 is attached as annex "L". In the 27th South East Asia Games hosted by Myanmar in 2013, Myanmar women athletes participated and won (43) gold-medals, (25) silver-medals and (50) bronze-medals. It is found that women's participation and getting awards in sports and games competitions are increasing. Moreover, the rate of the participation of women with disabilities in Paralympics is also rising.

134. Ministry of Culture taking a leading role is making efforts for more participation of women in the field of culture. Ministry of Culture in collaboration with Women's Affairs Organizations and Maternal and Child Welfare Associations at different levels conducted cultural education talks. In doing so, gender perspective and women's rights are also included in the talks.

Women in Rural Communities (CEDAW Article-14)

Implementation

Measures on Rural Development

135. In Myanmar, (70%) of the total population lives in rural area and the maximum rate of poverty is among rural people. Hence, (8) tasks of rural development and poverty alleviation have been laid down and are being implemented. To carry out rural development tasks more effectively, the Ministry of Livestock and Fisheries has been extended and changed into Ministry of Livestock, Fisheries and Rural Development. The Ministry of Livestock, Fisheries and Rural

Development, as a focal point, is implementing rural development tasks with great momentum.

136. The Department of Rural Development is implementing (6) tasks of socioeconomic development and the following infrastructures;

(a) Constructing rural roads and bridges,

(b) Rural water supply and sanitation work,

(c) Income-generating and vocational supports,

(d) Micro-credit business,

(e) Conducting procedures of rural development and poverty alleviation tasks,

(f) Supplying electricity to rural areas and building rural housings.

The detail plan and implemented activities are attached as annex "M" of this report.

137. Plans are underway to assess the benefits that rural women enjoy from various rural development programmes.

Inclusion of Gender Concept in Rural Development Tasks

138. **Community Driven Development Project (CDD):** To expand rural development tasks in Myanmar, Department of Rural Development is implementing Community Driven Development project in collaboration with World Bank providing financial assistance of (80) million US dollars. The project duration is from October 2012 to January 2019. It lasts six years and four months. The objectives of the project are (i) to have access to infrastructures and services for poor rural people through community driven approach, (ii) to promote the capability and quality of the government personnel and rural people, (iii) to enhance the ability of effective response of the government if emergency occurs.

139. The main characteristics of Community Driven Development project are enjoying the benefits by the rural people's own involvement, participation of people from all walks of life soon after project commencement, direct support of funds to village-tracts' and own management, collaboration between the regional governments and the people, capacity-building, providing to the people through the project-cycle, implementation of the project through continuous learning, developing the habit of transparency and responsibility, developing gender equality practice, and environment and social protection system.

140. The Community Driven Development project will be implemented in (3) townships in 2013, (5) townships in 2014 and (7) townships in 2015. In implementing the project, the following activities are to be conducted as community based approach. The step by step of implementation is attached with annex "N".

(a) Holding the meeting of the whole village,

(b) Election of committee members,

(c) Choosing sub-project programmes by rural people,

(d) Selection by priorities,

(e) Approval of Township Planning and Implementing Committee,

(f) Implementing the sub-project programme by the rural people,

(g) Supervision by the rural people,

(h) Right to directly enjoy the benefits by the rural people,

(i) Participation of people from all walks of life,

(j) Having access to gender equality and women's rights.

141. **Integrated Community Development Project and Community Development for Remote Townships Project:** Ministry of Border Affairs has cooperated with UNDP for the implementation of Integrated Community Development Project and Community Development for Remote Townships Project in (3) Regions and (7) States since 2003 with the aim of enhancing the socioeconomic development of poor people in rural and remote areas. The objectives of the project are to increase socioeconomic life of the rural population and to improve the skills of poor people including women and community based organizations by establishing Self-Reliance Women Groups. Self-Reliance Women Groups were formed at the poorest villages in (3) Regions and (7) States. Each group consists of 10-15 women from the poorest households in the village. The groups undertake revolving fund credit system as income-generating programme and also conduct a wide range of community development including management of resources for their family planning activities, mother and child health care, HIV/AIDS awareness, and emergency needs of group members using their gained profits.

142. The project provided the Self-Reliance Group members with guidance and suggestions, financial and technical assistance, and trainings with the aim to boost their confidence, social and economic standard and skills to enable them to deal with social changes in their society.

143. The project has strengthened the livelihoods of the Self-Reliance Groups and fulfilled the needs of women because women are taking an active part in drawing up the rural development programme, participating in the decision-making process, and implementation. Measures taken for Integrated Community Development Project and Community Development for Remote Townships Projects during 2006 to 31 March, 2012 are attached as annex "O".

Vocational Training Schools of Domestic Science for Women

144. In order for women to have access to vocational training in rural and border areas, the Ministry of Border Affairs has established (36) vocational training schools of domestic science starting from the fiscal year (1991-1992). The schools provide regular and special vocational trainings to women and assist them to establish their own businesses through the skills that they have gained. During the training courses, trainees are provided with meals, IEC materials and uniforms; women who come from the distant areas have their travel expenses covered. From the fiscal year (1991-1992) to the fiscal year (2013-2014), a total of (51,900) women trainees attended the vocational trainings. Out of them, (17,033) women (32.8%) were able to establish their own businesses as a direct result of the training. The table of attendance to the vocational trainings from the year (1991-1992) to the year (2013-2014) is attached as annex "P" of this report.

145. The Department of Social Welfare under the Ministry of Social Welfare, Relief and Resettlement has established (7) Schools of Home Science; these schools have

provided vocational trainings to (2,660) women during the year 2008 to 2013. Moreover, community-based vocational trainings were opened to those who could not attend the schools of home science, and a total of (3,326) women acquired vocational skills in this way during the years 2008 to 2013. In addition, (1,132) women in the Cyclone Nargis-affected areas and (563) women living in relief camps due to insecurity in Kachin State were also provided with vocational trainings.

146. The Ministry of Border Affairs is also cooperating with The Swiss Foundation for Development Cooperation (SWISSAID) in the implementation of Sustainable Agriculture and Natural Resources Development Project, which includes a programme related to non-discrimination against women in Kachin State.

Women's Access to Social Services in Northern Rakhine State

147. According to statistics as in December 2013, there are (397,133) males and (415,039) females (812,172 persons in total) living in Maungdaw and Buthitaung Townships of Maungdaw District in Northern Rakhine State. Out of the total population of Maungdaw District, (90.372%) are Bengalis whose religion is Islam.

148. The tasks of education, health, and nutrition supply for women and children in Maungdaw Township and Buthitaung Township in Northern Rakhine State are being implemented with the technical assistance, aid and collaboration of International Organizations such as UNHCR, AZG, WFO, CSSEP, ACF and Malteser.

149. **Activities in the area of health care:** Regarding the pregnancy of women in Maungdaw District, the District Health Department, hospitals and clinics are providing health care to pregnant women regardless of race or religion. In addition, a reproductive health care project is also being carried out in collaboration with UN agencies, international organizations and local social organizations.

150. In addition, Township Health Departments, in collaboration with UNICEF, UNHCR and its health centres, are conducting activities involving feeding vitamin B and iron-tonic to mothers, provision of anti-tetanus vaccinations for pregnant women, providing anti-malaria mosquito nets and also clean delivery kits, and access to emergency delivery care involving referring mothers and children in need of emergency care from rural areas to the township hospital. Myanmar Medical Association and UNFPA are cooperating on activities for the provision of food and transport costs, and the health section also provides emergency anti-pregnancy pills to women and mothers township-wide, family planning and birth-spacing services and preventive medicines to HIV infected mother through Prevention of Mother to Child Transmission of HIV Project. Rice supplies are also provided to primary schools through a WFP programme. This being so, according to the 2013 statistics of Department of Health, the situation of pregnancy, delivery and birth rate are as follows:

	Pregnancy		*Delivery*			*Birth Rate*	
	No. of pregnant women	*Death*	*Birth*	*Live*	*Death*	*Birth rate*	*Mortality rate*
Maungdaw	17 572	10	16 323	16 233	90	29.6	3.1
Buthitaung	9 607	8	9 651	9 602	49	29.9	1.7

151. From 2012 to 2013, Bengali traditional birth attendants were provided with midwifery trainings in (12) townships of Rakhine State, with the result that (15) Bengali auxiliary midwives in Buthitaung Township and (5) Bengali auxiliary midwives in Sittwe Township have been nurtured and produced. At present, reproductive health project has been carried out in (163) townships and this project will be extended and implemented in the remaining townships. Reproductive health care services are being carried out, extending to rural areas and poor people.

152. With the collaboration of UNHCR, the activities such as maternal and child-care services; basic health supports; health education on nutrition, feeding supplementary foods to malnutrition-children; treatment on nutrition; and strengthening the overall health care system of the State are being conducted.

153. **Activities in the area of Education:** Measures are being taken for all school-age children in the townships of Rakhine State to have access to education, regardless of race or religion, in accordance with the compulsory basic education system.

154. In particular, attention is being given to school-age girls who are forbidden to become educated by religious customs and traditions in Northern Rakhine State such that girls can enjoy the right to attend school by coordinating with local people. With the collaboration of State and Townships Education officers, basic Myanmar language classes are organized for (6,000) adolescent and adult persons per year and language classes are also available to children. Moreover, measures are taken for primary students to improve their Myanmar language skills and to help them to continue schooling. Those who have difficulties to continue schooling are also provided with necessary assistance to be able to continue schooling. Moreover, female hostels are established for education. Mothers are provided with hygiene and nutrition trainings and also nutritional food powder. A total of about (2,000) children aged 3 to 5 are also provided with early childhood development programmes through the pre-primary education system. Besides, in order to attend post primary education classes or to re-enter the school system for those who are early school drop-outs, necessary measures are being taken. In this regard, (6,000) girls were able to be assisted re-enter school.

155. In response to the Committee's concluding observation no.43, many complaint mechanisms (including the National Human Rights Commission, the President's Office, Hluttaw Committees, etc.) have been functioning well in Myanmar. Persons who believe their rights have been violated can lodge complaints using such mechanisms. In addition to these mechanisms, women in particular can lodge complaints with the Myanmar Women's Affairs Federation (MWAF) and the Myanmar National Committee for Women's Affairs (MNCWA). Furthermore, growing media freedom in the country enables the voice of the people to be heard. For more detailed information about complaints received by the MWAF and the indicators of prevention of violence against women from 2008 to 2013, please see annex "D".

156. In connection with the unfortunate incidents that occurred in 2012 in Rakhine State, communal violence broke out based on brutal crimes together with incitements and rumours from various channels. Because of the communal violence, both communities have suffered.

157. An independent Rakhine Investigation Commission to probe the causes of the communal violence and to recommend short-term, medium-term and long-term

solutions was established by the President on 17 August 2012. The investigation commission released its report to the public on 29 April 2013.

158. GOM has established a Central Committee for Implementation of Stability and Development in Rakhine State (CCISD) on 23 March 2013. In order to implement the policies adopted by the CCISD, the recommendations of the Rakhine Investigation Commission and other necessary actions, GOM has established seven sub-committees on rule of law, security and law enforcement, immigration and review of citizenship, temporary resettlement and reconstruction, social and economic development and strategic planning on 29 March 2013.

159. On 9 April 2014, the Union-level Emergency Coordination Centre was established to coordinate humanitarian activities among the Rakhine State Government, UN agencies and international organizations, and to support the work of the local government in the face of emergency. The Emergency Coordination Committee has developed the Action Plan for Peace, Stability and Development in Rakhine State.

160. GOM took immediate measures to put an end to the violence within a short period of time. Those who committed crimes have faced legal action regardless of their race or religion. (507) perpetrators involved in (195) cases have been sentenced. Courts are still hearing (45) cases involving (662) suspects. Since then, GOM has been able to prevent the recurrence of communal violence.

161. With regard to the freedom of movement, there is no restriction on travel of Myanmar citizens wherever they reside, including in Northern Rakhine State. However, concerning persons whose citizenship status is yet not clear, approval from the local authorities for their travel outside the state is required. Travel permissions have been issued by the authorities concerned in accordance with the rules and regulations of the Immigration and National Registration Department.

162. There is no policy restricting marriage and pregnancy of women in Myanmar, including in Northern Rakhine State. The Bengali community also needs to follow registration procedures in accordance with the existing laws, as do all persons who reside in Myanmar. Fundamental services for the Bengali community, including access to food, water, education and health care services have been provided in cooperation with international organizations.

163. In Myanmar, the Rakhine State Peace and Development Committee headed by the Vice-President-1 of the State was formed with (19) members and is striving for successful implementation of peace and development programmes. (84.8%) of (7,614) Rakhine victims and (85.3%) of (120,000) Bengali victims were able to be resettled. With the collaboration of International Organizations, (28,071) metric-tons of food supplies were distributed from January 2012 to September 2013. GOM also spent (26.79) billion kyats for the rehabilitation of Rakhine State. Likewise, Rakhine Response Plan which has been drawn up by UN Agencies and International Organizations, and is being implemented starting from July 2012.

164. **To prevent recurrence of communal violence in Rakhine State:** the road map that leads to the emergence of civilized society is being implemented, striving for more understanding of the literature, culture customs and traditions of different civil societies. Rakhine Peace and Development Plan on security, tranquillity, prevalence of law and order, rehabilitation, immigration and citizenship-scrutiny,

socioeconomic development and peaceful co-existence has been drawn up and is being implemented.

165. In addition, to get preventive knowledge, enhance the ability of women and lead to peace-living together in Rakhine State, gender equality trainings are being conducted and measures on coordination and negotiation are also taken for those who have experienced sexual violence, through health and legal assistance.

166. Measures are being taken for the development of fundamental human rights, health and education of women and children in Rakhine State in collaboration with Women's Affairs Organizations, Maternal and Child Welfare Association, the Office of the United Nations High Commissioner for Refugees (UNHCR), UNFPA, and UNICEF.

167. The Department of Social Welfare, in collaboration with UNFPA and AFXB, has established women care centres at (7) Bengali relief camps and (3) Rakhine relief camps in Sittwe Township in order that women and children at the relief camps in Rakhine State can be provided with counselling, fulfilling basic needs, hygiene and nutrition, reproductive health and birth-spacing, vocational trainings, sharing information, coordinating meetings, referring to respective hospitals and police stations.

168. Four trainers (3 females and 1 male) who have Myanmar language skill, knowledge distribution skill and working ability were selected from each relief camp and provided with capacity-building trainings. In addition, (20) trainees (16 females and 4 males) from Bengali relief camps and (12) trainees (8 females and 4 males) from Rakhine relief camps were provided with awareness-raising trainings from 6 March 2013 to 9 March 2013. The topics covered in these awareness-raising trainings were hygiene and nutrition, reproductive health and birth-spacing, prevention of HIV, sexually transmitted diseases, gender equality, gender based violence, trafficking in persons, and counselling. Moreover, vocational trainings are also conducted for women. The handicraft products made by the women are sent and sold at the shops in the camps and outside the camps and in this way, women earn their income.

Equal Rights before the Law (CEDAW Article-15)

Implementation

169. In the Constitution of the Republic of the Union of Myanmar (2008), the following Sections are prescribed;

Section 21(A): Every citizen shall enjoy the right of equality, the right of liberty and the right of justice, as prescribed in this Constitution.

Section 347: The Union shall guarantee any person to enjoy equal rights before the law and shall equally provide legal protection.

Section 348: The Union shall not discriminate any citizen of the Republic of the Union of Myanmar, based on race, birth, religion, official position, status, culture, sex and wealth.

Section 350: Women shall be entitled to the same rights and salaries as that received by men in respect of similar work.

Section 351: Mothers, children and expectant women shall enjoy equal rights as prescribed by law.

Section 352: The Union shall, upon specified qualifications being fulfilled, in appointing or assigning duties to civil service personnel, not discriminate for or against any citizen of the Republic of the Union of Myanmar, based on race, birth, religion, and sex. However, nothing in this Section shall prevent appointment of men to the positions that are suitable for men only.

Section 368: The Union shall honour and assist citizens who are outstanding in education irrespective of race, religion and sex according to their qualifications.

Section 369(A): The provision of the Section 369(A) was already mentioned in Article (7).

170. In addition, with regard to adjudication of the court, according to the Penal Code, Criminal Special Laws, Criminal Procedure Code, and Courts Manual, there are equal rights without gender discrimination, and these are being practiced in Myanmar.

Provisions of the Penal Code

171. Sections 312, 313, 314 and 316 are prescribed separately for special protection of women's pregnancy. Likewise, Sections 509 and 354 are prescribed for the protection of women's modesty and dignity from assault and insult. According to these sections, it is prescribed that none shall insult Myanmar women physically and orally as it is a crime.

172. Law awareness trainings have been conducted in collaboration with Women's Affairs Organizations and civil society organizations so that women are better aware of the laws which protect their rights.

Provisions of the Criminal Procedure Code

173. The criminal procedure code describes the procedure of charge with a crime; therefore, there is no gender discrimination. If a person who is charged with a crime without granting bail according to the criminal procedure code 497(1) is a female, it is prescribed that the court can instruct to bail the female accused out. At present, the Anti-Violence against Women Law is being drawn up to provide more effective protection to women.

Marriage and Family Relationship (CEDAW Article-16)

Implementation

174. Regarding the religions, out of the total population in Myanmar, (88.22%) is Buddhists, (0.73%) is Hindus, (4.28%) is Muslims, (6.23%) is Christians and (0.54%) is other Religious faiths. In Myanmar, marriage, divorce, portioning of matrimonial property, child-adoption, child-care and inheritance are varied depending on the religion, customs and traditions of each ethnic group.

175. The enacted laws for the occurrences related to marriage are varied depending on the religious faiths of the parties, man and woman. According to the Myanmar Customary Law, to constitute a valid marriage, the most important element is both

parties' consent. The law and custom today is that, without the free consent of the bride and bridegroom, there cannot be a valid marriage. If a Myanmar Buddhist man and woman, who are otherwise competent to marry, cohabit with the intention of becoming husband and wife, they are a married couple in the eye of the law. Because a public living together as husband and wife is all that is required to constitute a valid marriage.

176. In addition, in order to protect the valid marriage of women, Section 493 is prescribed in the Penal Code as follows;

- Every man who by deceit causes any woman who is not lawfully married to him to believe that she is lawfully married to him, and to cohabit or have sexual intercourse with him in that belief, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

177. According to the Myanmar Customary Law, with regard to marriage of women, a woman who is (20) years of age exactly and not a widow or a divorcee has the right to choose and marry her beloved man with her free consent. If a woman is under (20) years of age, it is needed to obtain her parents' or guardian's consent. In Myanmar, the minimum age of marriage for any woman regardless of religion is to be defined and included in the Child Law (1993), which is now being amended.

178. Regarding the matrimonial property and dividing property during marriage and on dissolution of marriage, procedures are different according to respective religions, customs and traditions. The matrimonial property and dividing property of Buddhist women was already mentioned in the previous report.

179. According to the Myanmar Customary Law, there is a right to have inheritance based on the following (6) principles without gender discrimination;

(a) Having inheritance without will,

(b) The husband or wife, whoever may survive the deceased, stands to inherit the Estate,

(c) Inheritance goes down and not up,

(d) Close generation can remove distant generation from inheritance,

(e) Close relative can remove distant relative from inheritance,

(f) Inheritance cannot be received by good deeds, but inheritance can be lost by bad deeds.

180. In addition, according to the Myanmar Customary Law, a son and a daughter have equal rights of inheritance without discrimination.

181. Legal adoption is customarily accepted and both man and woman is eligible to adopt a child while at the same time, there is no sex-discrimination on the child to be adopted.

Chapter 3
Conclusion

182. Facts, data and information contained in the national report clearly show the commitment, progress and challenges of Myanmar in implementing the provisions of the Convention on the Elimination of All Forms of Discrimination against Women. Myanmar will continue to exert its upmost efforts in the promotion and protection of women's rights by implementing the provisions of the Convention, its National Strategic Plan for the Advancement of Women (2013-2022) and various national programmes, together with administrative and legislative measures to empower women and girls.